

Amendment No. 1 to HB0517

**Fitzhugh
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1604

House Bill No. 517*

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 4, Part 10, is amended by deleting §67-4-1029 in its entirety and by substituting instead the following:

Section 67-4-1029.

(a) It is an offense for any person to make a delivery sale of cigarettes to a consumer in this state.

(b) It is an offense for any delivery service to deliver cigarettes knowing they were sold in violation of subsection (a).

(c)

(1) A violation of subsection (a) is a Class A misdemeanor;

(2) A violation of subsection (b) is a Class B misdemeanor.

(d) Nothing in this section shall be construed to directly or indirectly modify or amend any aspect of any provision of the Tennessee Tobacco Manufacturers' Escrow Fund Act of 1999, compiled in title 47, chapter 31, or the related provisions regarding the tobacco settlement funds, compiled in part 26 of this chapter.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.